



INTERIOR BOARD OF INDIAN APPEALS

Ute Indian Tribe of the Uintah & Ouray Reservation, et al.
v. Western Regional Director, Bureau of Indian Affairs

38 IBIA 288 (01/21/2003)

Related Board case:
40 IBIA 85



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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UTE INDIAN TRIBE OF THE UINTAH &	:	Order Dismissing Appeal
OURAY RESERVATION; SOUTHERN	:	
UTE INDIAN TRIBE, d.b.a. RED WILLOW	:	
PRODUCTION COMPANY; DOMINION	:	
EXPLORATION & PRODUCTION, INC.;	:	
CONTANGO OIL & GAS COMPANY;	:	
FIDELITY INVESTORS III LIMITED	:	
PARTNERSHIP; JOHN J. JURRIUS; and	:	Docket No. IBIA 03-45-A
NORTHERN UTE PARTNERS LLC,	:	
Appellants	:	
	:	
v.	:	
	:	
WESTERN REGIONAL DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	January 21, 2003

Appellants Ute Indian Tribe of the Uintah & Ouray Reservation; Southern Ute Indian Tribe, d.b.a. Red Willow Production Company; Dominion Exploration & Production, Inc.; Contango Oil & Gas Company; Fidelity Investors III Limited Partnership; John J. Jurrius; and Northern Ute Partners LLC sought review of the alleged failure of the Western Regional Director, Bureau of Indian Affairs (Regional Director; BIA) to respond to their November 27, 2002, Request for Decision or Date for Decision Under 25 C.F.R. § 2.8. On December 18, 2002, the Board of Indian Appeals (Board) requested a status report on the matter from the Regional Director.

The Board received the Regional Director's status report on January 17, 2003. Stating that he had issued a decision in this matter on January 10, 2003, the Regional Director asked that the appeal be dismissed as moot.

Appellants have received the relief they sought in filing this appeal; i.e., a decision from the Regional Director. Under these circumstances, the Board agrees that this appeal is moot. See Jackson v. Pacific Regional Director, 37 IBIA 70 (2001).

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal from the inaction of the Western Regional Director is dismissed as moot. This dismissal is without prejudice to Appellants' right to appeal from the Regional Director's January 10, 2003, decision.

//original signed

Kathryn A. Lynn
Chief Administrative Judge

//original signed

Anita Vogt
Administrative Judge